

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellants: Novaes et al.

Group Art Unit: 2155

Serial No.: 09/584,259

Examiner: Michael Young Won

Filed: 05/31/00

Appeal No.:

Title: METHOD, SYSTEM AND PROGRAM PRODUCTS FOR MANAGING
PROCESSING GROUPS OF A DISTRIBUTED COMPUTING
ENVIRONMENT

To: Mail Stop Appeal Briefs – Patents
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Response to Notification of Non-Compliant Appeal Brief

Dear Sir:

This Response to Notification of Non-Compliant Appeal Brief is being filed in reply to the Notification of Non-Compliant Appeal Brief mailed on July 3, 2007. Since a Response is due within one month from the mailing date of the Notification, this Response is being timely filed on or before August 3, 2007.

Although Appellants are not aware of any fees due at this time, if for some reason additional fees are required, the Director is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 09-0463 (IBM).

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Remarks

Appellants respectfully request consideration of this Response and consideration of the Appeal Brief filed herewith.

In accordance with the Notification of Non-Compliant Appeal Brief, Appellants enclose herewith a complete new Brief in compliance with 37 C.F.R. §41.37.

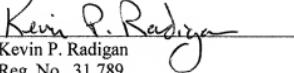
The Notification of Non-Compliant Appeal Brief indicates that the Appeal Brief, filed on March 30, 2007, is defective for failure to comply with one or more provisions of 37 C.F.R. §41.37. In particular, it indicates: "Applicant needs to clearly indicate that he/she is mapping the independent claims, not just mention them in the discussion of the embodiments." Appellants respectfully submit that it is not necessary to *map* each independent claim, but rather, §41.37(c)(1)(v) of the C.F.R. states that a concise explanation of the subject matter defined in each of the independent claims involved in the Appeal, which shall refer to the specification by page and line number, and to the drawing, if any, by reference characters shall be provided. Appellants' initially-filed Appeal Brief met this requirement. Notwithstanding this, Appellants understand that the Notification of Non-Compliant Appeal Brief requires Appellant to *label* their paragraphs under the Summary of the Claimed Subject Matter to correspond to the independent claim numbers, i.e., to independent claims 50, 59, 66, 74, 78 & 86. In satisfaction of this requirement, a new Brief is presented herewith.

Based on the foregoing, Appellants respectfully submit that the Supplemental Appeal Brief being filed herewith is in compliance with the provisions of 37 C.F.R. §41.37, and addresses the objections stated in the Notification of Non-Compliant Appeal Brief. Thus, Appellants respectfully request that the enclosed Appeal Brief be considered.

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Should the Examiner still have concerns regarding this Brief, the Examiner is invited to contact Appellants' attorney at the below-listed number.

Respectfully submitted,


Kevin P. Radigan
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Dated: July 13, 2007.

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